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The undersigned is opposed to the proposed settlement in the Microsoft antitrust trial because the settlement does not fully redress the actions committed by Microsoft, nor substantially inhibit their ability to commit similar actions in the future, or most importantly, attempt to restore competition to this important market.

Furthermore, there are concerns regarding the fact that none of the provisions within the settlement effectively address Microsoft's abuse of its monopoly position in the operating system market. Even non-educated, non-technical citizens can recognize the absurdity and inequity of the requirement that consumers pay for a Microsoft OS on a new PC--whether it is wanted or not--and yet this most basic issue has never been addressed.

Perhaps most appalling is that the proposed settlement does nothing to address Microsoft's previous misdeeds. Software piracy or violations of the DMCA result in million of dollars in fines and potential incarceration, yet no penalties are stipulated in this settlement? It is equally disheartening that there are no provisions to address future abuses instead the settlement, from a technical perspective, appears to bolster Microsoft's expanding control of the Internet and other related areas. Letting the US government publicly reward criminal behavior simply makes a mockery of the law.

Microsoft's monopolistic practices cause the public to bear increased costs and deny them products and innovation that would otherwise be created because of competition. Consequently it is incomprehensible that obvious cost free measures, such as a requirement for the inclusion of Linux and dual-booting on all OEM PC's, is not even considered.

The finding that Microsoft was (and is) an abusive monopoly must be followed by specific, well-defined measures to address past practices and compensate those harmed by the abuses. In addition, substantial penalties and measurable sanctions are required to prevent future monopolistic abuses. Based on past history, it is even more crucial that strong constraints be placed on Microsoft to mitigate their proven propensity for illegal and unethical activities.

The proposed settlement is clearly inadequate to serve its function and calls into question the United State's Judicial System's ability to appropriately perform its purpose. As such, it is respectfully requested that the entire matter be reconsidered in a public courtroom.



Renata B. Hesse